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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED

APR 23 2018

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

DEAUNDRE
BECH
(Name of the plaintiff or plaintiffs)

CIVIL ACTION

v.

1:18-cv-02887

Judge: Sara L. Ellis

Magistrate Judge: Sheila M. Finnegan

AARON'S, INC.,
d/b/a
Aaron's Furniture
(Name of the defendant or defendants)

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.

2. The plaintiff is CITIZEN of the
county of COOK in the state of ILLINOIS.

3. The defendant is AARON'S, INC., d/b/a Aaron's Furniture, whose
street address is 1800 South Cicero Ave.

(city) CICERO (county) COOK (state) ILLINOIS (ZIP) 60804

(Defendant's telephone number) 708-222-1111 *

4. The plaintiff sought employment or was employed by the defendant at (street address)

1800 South Cicero Ave. (city) Cicero

(county) Cicero (state) IL (ZIP code) 60804

* 309 EAST PACES FERRY ROAD, NE, ATLANTA,
GA 3305 404-231 0011

5. The plaintiff [*check one box*]

- (a) ☐ was denied employment by the defendant.
- (b) ☒ was hired and is still employed by the defendant.
- (c) ☐ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about,

(month) March, (day) 7, (year) 2016

7.1 (Choose paragraph 7.1 or 7.2, do not complete both.)

(a) The defendant is not a federal governmental agency, and the plaintiff [*check*

one box] ☐ *has not* filed a charge or charges against the defendant
☒ *has*

asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

(i) ☒ the United States Equal Employment Opportunity Commission, on or about
(month) August (day) 3 (year) 2017

(ii) ☐ the Illinois Department of Human Rights, on or about
(month) _____ (day) _____ (year) _____.

(b) If charges *were* filed with an agency indicated above, a copy of the charge is

attached. ☒ YES. ☐ NO, **but plaintiff will file a copy of the charge within 14 days.**

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

(a) the plaintiff previously filed a Complaint of Employment Discrimination with the defendant asserting the acts of discrimination indicated in this court complaint.

☐ Yes (month) _____ (day) _____ (year) _____

☐ No, did not file Complaint of Employment Discrimination

(b) The plaintiff received a Final Agency Decision on (month) _____
(day) _____ (year) _____.

(c) Attached is a copy of the

(i) Complaint of Employment Discrimination,

☐ YES ☐ NO, but a copy will be filed within 14 days.

(ii) Final Agency Decision

☐ YES ☐ NO, but a copy will be filed within 14 days.

8. *(Complete paragraph 8 only if defendant is not a federal governmental agency.)*

(a) ☐ the United States Equal Employment Opportunity Commission has not issued
a *Notice of Right to Sue*.

(b) ☒ the United States Equal Employment Opportunity Commission has issued a
Notice of Right to Sue, which was received by the plaintiff on
(month) JANUARY (day) 30 (year) 2018 a copy of which
Notice is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [**check only those that apply**]:

(a) ☐ Age (Age Discrimination Employment Act).

(b) ☐ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

- (c) ☒ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☐ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)
10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).
11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.
12. The defendant [*check only those that apply*]
- (a) ☐ failed to hire the plaintiff.
- (b) ☐ terminated the plaintiff's employment.
- (c) ☐ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☒ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☒ failed to stop harassment;
- (g) ☒ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☐ other (specify): _____
-

13. The facts supporting the plaintiff's claim of discrimination are as follows:

(2/11/16)
 DUE TO A WORK INJURY ON 12.14.15, I RETURN BACK TO WORK WITH
 JOB RESTRICTIONS. MY REGIONAL MANAGER JASON CAMPBELL WAS
 TRYING TO MAKE ME DO CERTAIN TASKS (3.7.16) THAT WENT AGAINST MY
 RESTRICTIONS. I CALLED KIM DREN (HR) TWICE ON JASON TO INFORM
 HER OF HIS ACTIONS, THE HARASSMENT CONTINUE UNTIL I TRANSFER OUT
 HIS REGION (MAY 2016). 1.15.17 JASON TOOK OVER THE NEW REGION, THE
 WHERE I HAD BEEN TRANSFERRED

HARASSMENT STARTED BACK UP, ON 3.16.17 I WAS GIVEN 2 OPTIONS: GET RELEASE 100% OR TAKE

14. [AGE DISCRIMINATION ONLY] Defendant knowingly, intentionally, and willfully
 discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff
 [check only those that apply]

- (a) ☐ Direct the defendant to hire the plaintiff.
 (b) ☒ Direct the defendant to re-employ the plaintiff.
 (c) ☐ Direct the defendant to promote the plaintiff.
 (d) ☐ Direct the defendant to reasonably accommodate the plaintiff's religion.
 (e) ☐ Direct the defendant to reasonably accommodate the plaintiff's disabilities.
 (f) ☐ Direct the defendant to (specify): _____

LOA
 3.20.17
 I WAS FIRED
 before I
 was
 able
 to get
 a full
 release
 from my
 doctor.

☒ (g) If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.

☒ (h) Grant such other relief as the Court may find appropriate.

(Plaintiff's signature)

(Plaintiff's name)

DEAUNDRE ~~BEEB~~ BEOH

(Plaintiff's street address)

17470 Chelsea Place

Country Club Hills

(City) Chicago (State) IL (ZIP) 60478

(Plaintiff's telephone number) 773-418-8358

Date: 4/23/18

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: **Deaundre Beoh**
c/o Gary Martoccio, Esq.
Spielberger Law Group
202 S. Hoover Blvd.
Tampa, FL 33609

From: **Chicago District Office**
500 West Madison St
Suite 2000
Chicago, IL 60661



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

440-2017-05279

Robert Shelton,
Investigator

(312) 869-8078

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)



More than 180 days have passed since the filing of this charge.



Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.



The EEOC is terminating its processing of this charge.



The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**



The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice**. Otherwise, your right to sue based on the above-numbered charge will be lost.

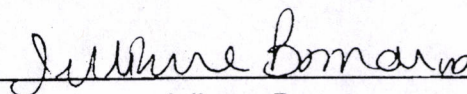


The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court **within 2 years (3 years for willful violations)** of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Julianne Bowman,
District Director

1-23-18

(Date Mailed)

Enclosures(s)

CC:

Chief Executive Officer
AARONS FURNITURE
1800 S. Cicero Avenue
Cicero, IL 60804

07/27/2017 13:52 1708957J45

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PAGE 01/02

EEOC Form 6 (11/02)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: <input checked="" type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC Agency(ies) Charge No(s): 440-2017-05279	
Illinois Department of Human Rights and EEOC <small>State or local Agency, if any</small>			
Name (Indicate Mr., Ms., Mrs.) Mr. Deandre Beoh		Home Phone (incl. Area Code) (773) 418-8358	Date of Birth 09/29/1981
Street Address 17470 Chelsea Place, Country Club Hills, IL 60478			
Named Is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Aaron's Furniture		No. Employees, Members 15+	Phone No. (Include Area Code) (708) 222-1111
Street Address 1800 South Cicero Avenue, Cicero, IL 60804			
Name Aaron's, Inc.		No. Employees, Members -	Phone No. (Include Area Code) (404) 231-0011
Street Address 309 East Paces Ferry Road NE, Atlanta, GA 30305			
DISCRIMINATION BASED ON (Check appropriate box(es)) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest 2016 Latest 07/2017 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>Statement of Harm: Aaron's subjected me to disparate and discriminatory treatment on the basis of my disability. I suffer from a disability related condition and made Aaron's aware of such during my employment. Specifically, Aaron's Regional Manager retaliated against me and discriminated against me based on my medical condition. After raising my concerns to Aaron's management regarding the Regional Manager's targeting of me and his continued demands for me to work outside of my restrictions, I was transferred to a new location. After my transfer request was granted and I was removed from my harasser, I worked without problem for the next several months. During this time, I remained on work restrictions and had no issues; in fact, my restrictions lessened as the months went on.</p> <p>However, my harasser was eventually reassigned to my region. Upon his transfer, he immediately made me a target once again. I reported my concerns with this conduct to Aaron's Human Resources department and notified the representative regarding my history with my harasser. Shortly thereafter, my harasser started to investigate only my call logs. As this continued, Aaron's Store Manager told me that the Regional Manager was "out to get [me]" and that he would reference my call logs only. The Regional Manager subsequently forced me out on leave, even though I can perform my job with or without accommodation. My Regional Manager's conduct was sufficiently severe and pervasive to alter the conditions of my employment and create an abusive working environment for myself. Moreover, Aaron's knew or should have known about the harassment and has failed to take immediate or appropriate corrective action.</p> <p>(See attached documents.)</p>			

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PAGE 02/02

Statement of Discrimination: I believe I have been discriminated against because of my disability and retaliated against for engaging in a protected activity in violation of the Americans with Disabilities Act (ADA).

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

1-27-17

Date

D.B.H.

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)